IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.956 OF 2005 WITH 975 OF 2005

Shri. S.J. Yadav. ..Petitioner.
Vs.
The State of Maharashtra & ors. ..Respondent.

And
Shri.Anil Mumbaikar. ..Petitioner.
Vs.
The State of Maharashtra and ors.
..Respondent.

Mr. Vijay Patil for the Petitioners.
Dr. V.K. Choudhary for the Respondent Nos. 6 to 9.

CORAM : R.S.MOHITE, J.
DATED : 29/11/2005.

PC:

1. The petitioners have filed these petitions for quashing and setting aside the interim stay dated 9.2.2005 and the letter dated 15.2.2005 issued by the Co.operative Department reproducing the said order. It is stated that the impugned order was granted in a pending revision and admittedly the said revision has been disposed of in favour of the petitioners. In the circumstances, prayer (a) of the petitions have become infructuous as the revision itself has been disposed of finally. It appears that under the shelter of the said order the petitioners were prevented from voting and the election of Chairman and Vice Chairman of Respondent No.6 was held on 17.2.2005. This is an independent

cause of action. The said order which was granted pending revision was admittedly operative on the date of election. I am not going into the merits as to whether the stay granted in the said petition is proper or not. In the circumstances, I am not inclined to allow the prayer for setting aside the election of respondent Nos. 6 and 7. In any case, the tenure of the Chairman & Vice Chairman i.e. respondent Nos. 8 and 9 was for the period of one year and 8-months have already over. Hence, both the petitions are dismissed.

(R.S. MOHITE, J.)